

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

KNOWLINGTON O. BURBAGE,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-133-SLR
)	
CITY OF WILMINGTON, MAYOR)	
JAMES BAKER, POLICE DEPARTMENT)	
OF WILMINGTON, DELAWARE,)	
CHIEF MICHAEL SZCZERBA,)	
UNKNOWN SERGEANT,)	
OFFICER LEARY, OFFICER MYERS,)	
)	
Defendants.)	

ORDER

Having reviewed Defendants City of Wilmington, Mayor James Baker, Police Department of Wilmington, Chief Michael Szczerba and Officer Joseph Leary's Motion for Summary Judgment; and Defendant James Myers' Motion to Dismiss Pursuant to Fed. R. Civ. P. 4(m); and there being no genuine issues of material fact;

IT IS HEREBY ORDERED this ____day of _____, 2006 that Defendants' Motion for Summary Judgment and Motion to Dismiss are GRANTED and Plaintiff's Complaint is Dismissed with prejudice.

J.